

FINAL BILL REPORT

HB 1487

C 220 L 09
Synopsis as Enacted

Brief Description: Regarding resident student classification.

Sponsors: Representatives Hunter, Anderson, Kessler, Wallace and Eddy.

House Committee on Higher Education
House Committee on Education Appropriations
Senate Committee on Higher Education & Workforce Development
Senate Committee on Ways & Means

Background:

Resident Student.

Classification as a resident qualifies a student to receive in-state tuition rates which are lower than nonresident rates. The statutory definition of resident student encompasses several categories of students, including the following:

- a financially independent student who has established a domicile in the state of Washington for one year immediately prior to the first day of class for which the student has registered and has established such domicile in this state for purposes other than educational;
- a dependent student whose parent or parents have maintained a domicile in Washington for one year prior to the start of class;
- a student who has spent at least 75 percent of his or her junior and senior years in a Washington high school and whose parents maintained a domicile in Washington for at least one year in the five-year period preceding the student's enrollment, and who enrolls in college within six months of leaving high school;
- any person who has completed his or her senior year in a Washington high school, received a high school diploma or its equivalent, continuously lived in Washington three years prior to receiving the diploma and continued to live in Washington after receipt, and who provides an affidavit indicating that he or she will file an application to become a permanent resident; and
- a student who is on active military duty in this state or a member of the Washington National Guard, as well as his or her spouse or dependents.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Non-Immigrant Visas.

There are many classifications of nonimmigrant visas issued by the U. S. Department of State. The H-1 is a temporary worker classification that applies to: (1) a person in a specialty occupation which requires the theoretical and practical application of a body of specialized knowledge requiring completion of a specific course of higher education; and (2) a fashion model. The classification also applies to temporary workers in some programs administered by the U. S. Department of Defense.

The E-3 classification applies to nationals of Australia who enter the United States to work solely in specialty occupations requiring a bachelor's degree or higher, as well as to their spouses and children.

The L classification applies to intracompany transferees who, within the previous three years, have been employed continuously for one year and who will be employed by a branch, parent, affiliate, or subsidiary of that same employer in a managerial, executive, or specialized knowledge capacity.

Summary:

The definition of resident student for purposes of college and university tuition is expanded to include persons who have lived in Washington, primarily for purposes other than educational, for at least one year and hold either an H-1, E-3, or L visa. The spouse or child of a person holding an H-1, E-3, or L visa also qualifies as a resident student if the spouse or child holds lawful nonimmigrant status. Persons who hold or who have previously held such lawful nonimmigrant status pursuant to an H-1, E-3, or L visa and who have filed an application for a green card are also included in this definition of resident student.

Votes on Final Passage:

House	59	38
Senate	31	13

Effective: July 1, 2009